

CALL TO ORDER

The one-hundred fortieth meeting of the Water and Wastewater Operator's Advisory Council was called to order at 8:40 a.m. by Carol Reifschneider, Ph.D., MSU-Northern, Council Chairperson. Other Council members present included: Joanne "Joni" Hall Emrick, Kalispell; Roger Skogen, Valier; Tony Porrazzo, Polson; and Jon Dilliard, DEQ Public Water and Subdivision Bureau Chief.

Department personnel attending all or portions of the meeting were John Camden, Acting Public Water Supply Section Supervisor, Jenny Chambers, Certification Officer; Reta Therriault, License Permit Technician; and Ashley Eichhorn, License Permit Technician.

MINUTES APPROVED

The minutes from the previously held meeting on September 30, 2004 were unanimously approved following a motion by Joni and a second by Tony Porrazzo.

FAREWELL TO ROGER THOMAS

Roger Thomas has resigned from the Advisory Council and has served on the Advisory Council since December 22, 1999. Roger retired from the City of Billings and has taken a position working at Morrison-Maierle, Inc. Jenny passed around a plaque that will be mailed with a thank-you letter.

WATER AND
WASTEWATER
ADVISORY COUNCIL
VACANCY

The Council was given a copy of the vacancy announcement that was distributed on April 8, 2005 to fill Roger Thomas's vacancy on the Water and Wastewater Operator Certification Advisory Council. As of today 6 candidates applied directly to the Governor's office by the May 16 deadline. The group had some minor discussion to determine a possible ranking system. This was not accomplished because the Council members are not that familiar with any of the qualifying applicants. It was recommended that we try and get someone to represent the eastern part of the State, because we have adequate representation on the West. So, with that, someone from the Bozeman (Bozeman or Big Sky) or the Billings area will be recommended to the Governor's office.

PWSB "Business Process Management" (BPM)

The Council members were provided information regarding the recent BPM analysis completed within the Bureau. The BPM process began by looking at processes within the sub-section groups. While trying to optimize the processes it became evident that the structure needed to be modified. Jon Dilliard

handed out a proposed optimized structure that when implemented should allow the Bureau to react to situations pro-actively. It will also allow the Bureau to begin implementation of other BMP process suggestions and evaluations into different phases and procedures. Jon said that it has been proposed that Jenny Chambers would become the Technical Services Manager. This position would include managing the Operator Certification Program and all of the technical service people for the entire Bureau. It has been proposed that John Camden become the new Rules Manager to oversee and rewrite all of the rule changes and to be the EPA contact person. Jon Dilliard explained to the Council that this has been a long, hard process but is hopeful that compliance, permitting and even how many times a piece of paper is handled, will be streamlined. Jon said that not much has been implemented on the organizational chart because they are in the process of rewriting position descriptions. He is hopeful that by the next Council meeting, the changes will be in place. On a side note, Carol Reifschneider asked if Pay Plan 20 would bring employees up to market value. Jon said that the Pay Plan is better than what used to be in place and it at least gives people a chance to get to market. Carol asked how the Legislative Session went. Jon said that the bill that would exempt certain public water supply systems from complying with all of the related regulations, failed. He said that the Legislature dealt with the budget and funding early on and that we came out well on that. Over all, it was a good session.

WATER SCHOOL AND EXAM REPORTS

Jenny Chambers reported that approximately 80 people attended the Spring Water School in Kalispell and that Billings Spring School had 100 participants. She informed the Council that in Billings this year, the Montana Environmental Health Association (MEHA), had their own separate track for training. Gino Pizzini, our Enforcement Officer and the current President of MEHA and Amy MacKenzie, our Homeland Security person was instrumental in bringing this track of training to the Spring School. The guest speaker was Dr. Patricia L. Meinhardt and she spoke on recognizing waterborne disease and the health effect of water pollution. Approximately 40 people attended the classes. Jenny is considering rotating MEHA classes between Kalispell and Billings.

Reta recapped the exams that have been given since the September 2004 Council meeting. She also gave a comparison of old water exams given from 9/2003 – 5/2004 and the new ABC water exams

given from 10/2004 – 5/2005. She noted that while the number of people taking the exams differed slightly, the pass/fail percentage was close. The pass percentage for the Class 1B & 2B exams had dropped drastically while the Class 4AB and 5AB exams had a slight increase in percentage points. Reta also explained that all exams with a 65 – 69 percent were being reviewed. All missed questions were being looked at to verify that they are good questions geared toward the beginning operator. Jenny said that some of the questions have been pulled and will be replaced with new questions. Examinees' scores have been adjusted to reflect the questions that will be replaced. Reta added that Class 1B and 2B training would be looked at to see if there were areas that could be improved. It was noted by John Camden that the basic track training has improved greatly. Jenny mentioned that she had just received a call from the training provider in Pennsylvania. He is interested in how our training programs operate. Jenny will call him back and discuss this further with him. Joni Emrick asked if we knew how Montana rated nationally on the examinations. Jenny said that she would check to see if we could get those statistics.

RENEWAL UPDATE

Ashley Eichhorn reported to the Council that there were 1588 renewal invoices mailed out on April 8, 2005. This number included 22 invoices mailed out for the Kalispell 3/18/05 exam and 18 mailed out for the 4/09/05 spring exam. Ashley said that to date, a total of 1005 operators have renewed and their new wallet cards have been mailed to them. So far, 13 operators have been inactivated but this has not affected any systems because all of the systems had backup operators.

COMPLIANCE STATUS REPORT AND ENFORCEMENT

Reta gave copies of the May 2005 compliance report noting that the percentage for systems in compliance is still high. Jenny said that there are currently six systems that have been turned over to Enforcement. One of these is a wastewater system that is appealing the fine, but has found someone to become the operator. This person took the exam on May 24 and is waiting for the exam results to come back. Jenny is not sure what the results of the hearing will be but she stated that the system was now in compliance with the Operator Certification Program.

ON SITE WASTEWATER TREATMENT PRESENTATION AND

Jenny gave an update to the Council on what she had found out about the possibility of certifying collection system operators. She provided a copy of the memo she sent to John North, Chief DEQ

COLLECTION SYSTEMS
CERTIFICATION

Legal Counsel. In the memo Jenny asked if the Operator Certification Program had the authority to add rules for a separate collection system license under the current Montana Codes Annotated (MCA's) or if we had authority to make voluntary program.

Jenny provided a copy of a draft response completed by John North. In John North's memo he stated that the Legislature has not granted the Department specific statutory authority to implement rules requiring certification of wastewater collection systems operators. Therefore the Department is without authority to assess fees or add a voluntary wastewater collection system program. In closing, John North said that the Water and Wastewater certification program might wish to propose legislation that would authorize the Department to specifically regulate wastewater collection system operators. This would include certification and fee assessment, which would allow the program to implement regulations.

Jon Dilliard said that we could poll the operators with a proposal of a voluntary program for collection systems and wait for the results. Jenny said that there should be support from the large systems. She also pointed out that it would make it easier for an Operator from Montana to receive reciprocity in another state if they had a collections certification because many states require collection. Jenny tells people that apply for reciprocity in Montana who hold a collections certificate, to keep it active in the other state. She said that Montana could have two exams, one for small systems and one for the large systems. Roger Skogen pointed out that every system has collections. Joni said it was important for everyone and Tony Porrazzo noted if operators have a collection certificate it could increase their pay. Carol Reifschneider made a motion to start setting up a program. Roger Skogen seconded the motion. Jenny will pursue and begin by putting an article in the upcoming Big Sky Clearwater.

Carol asked for an update regarding industrial exams. Jenny said that at this time the classifications are in place, however the Operator Certification Program only administers one petroleum industrial exam. Other exams have not been developed for other industrial operations. She is working with other states and has briefly met with the Water Protection Bureau to determine industrial activities in Montana. Jenny will continue trying to gather information and determine if rule revisions for industrial

classification is necessary.

REIMBURSEMENT
PROGRAM UPDATE
AND IDEAS FOR
WORKPLAN
MODIFICATIONS

After a Permitting and Compliance Division (PCD) budget meeting, Judy Hanson, the PCD Fiscal Coordinator, requested a summary of program activities that could explain why more of the reimbursement money was not being spent. Jenny provided the Council with a copy of the Operator Reimbursement Program Outreach Activities Comprehensive Summary that was delivered Judy in October 2004. The purpose of the reimbursement program is to reimburse public water systems serving 3,300 people or fewer for certain expenses associated with required operator training and certification costs. The summary outlined what the money had been spent on, statistical information showing program participation, and goals for future activities that will be maintained and other goals that have been discussed but not yet implemented. Jenny also provided a handout from the Association of Boards of Certification (ABC) Conference that explained the reimbursement program and different ideas that other States have developed to spend the money. Two examples included on-line exams and an on-site mobile training unit. Jenny noted that the on-line exams used are ABC standard exams. Montana decided to develop prescriptive exams utilizing the ABC item bank. At this time, in order to offer on-line exams we would have to change the exams to ABC standard and determine possible ways of administering exams. Jenny told the Council that she needed to start working on a work plan by next year and asked the Council to think of ideas on how reimbursement funds could be spent. Jenny pointed out that a lot of the small water systems use contract operators and only one system can be reimbursed and this has cut down on the money paid out. Tony Porrazzo suggested using more speakers and suggested John Campbell, who is retired, would be an excellent speaker for both water and wastewater. Gretchen Rupp, Director of the Montana Water Center in Bozeman, e-mailed Jenny a proposal, that would last six-months, to change the new Operator Basics 2005 for Montana operators and operators-in-training and call it Montana Operator Basics 2006. This curriculum has been designed for a national audience so many aspects of utility operator established at the Montana state level would be included. Examples of this would be DEQ circulars, Montana's Total Coliform Rule, operator certification and continuing- education requirements, etc. The CD would serve as a reference for operators and allow them to acquire CEC's. It would be a prep course for those studying for their certification exam and a resource for DEQ and METC trainers conducting workshops.

Carol wanted to know if the \$91,905 asking price covered everything or would additional fees be paid to maintain the CD's when upgrades were needed. Joni Emrick thought it was very expensive and wanted more information before a decision was made. Jenny said that she would talk with Gretchen and find out if DEQ would be able to make their own upgrades as needed, if new CD's would be required each year and what the cost would be if Montana Water Center had to make all of the changes. John Camden stated that the Operator Certification program was started in 1967 and it is hard to spend money when we have been around for so long.

Jenny said she completed the EPA approval, gave it to John Camden and is waiting for John's okay.

There are two Enforcement cases that involve owner/operators. Jenny thinks it would be nice to require these owner/operators to post public notice each month while they are in Enforcement. Jenny has submitted a legal opinion request to the Department's Legal staff to determine if we have authority to require systems to post public notice for failure to have a certified operator.

GENERAL ISSUES, IF
ANY

The Fall School agenda is in development and Jenny asked the Council if they would be willing to do a Council members panel presentation. This would be a way to introduce themselves and discuss general issues. Everyone agreed to do this and thought it would be a good time to give a history of the Council. Fall School will be held in Bozeman in October 2005.

John Camden brought up the fact that MSU Bozeman is remodeling over the next 5 years and there might come a time that the Fall Water School could not be held in the SUB. Jenny said that she is not worried about this, that if and when that time comes, then different arrangements can be made.

Jenny told the Council that the College of Great Falls no longer has room for METC and that the last nine months have been spent looking for other alternatives. It has been decided to move METC to the MSU-Northern Havre campus. There will be one full time employee and a work-study person to staff METC. The move and staffing changes will be in effect starting July 1, 2005.

DATE OF NEXT
MEETING

The next meeting will be October 6, 2005 in Bozeman.

ADJOURNMENT

Carol made the motion to adjourn the meeting at approximately 11:45 and Joni seconded. The motion to adjourn was unanimous.